IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1205 OF 2006

Naushad Habib Hashmi ...Applicant.

v/s

The State of Maharashtra ...Respondent.

Mr. N.N. Gawankar with Mr. Arfan Sait for the applicant.

Ms. M. Mahatre, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 24th March, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R. No.61 of 2006 registered at Nehru Nagar Police Station for the offence punishable under sections 304(2), 308, 353, 333 of the Indian Penal Code read with sections 184, 185, 134(a)(b) of the Motor Vehicles Act.

3. It is alleged that the applicant was under the influence of alcohol and he was driving his car in rash and negligent manner and knocked down one police constable and injured other while they were patrolling on that road. In the said incident, one constable

died and the other was grievously injured.

4. The incident took place on 16/2/2006 at 4.15 a.m. There is no allegation that there was any previous enmity between the applicant and the deceased or that the applicant intentionally knocked down the two constables. The applicant is in jail since 16/2/2006. The applicant is a permanent resident of Mumbai. He is not likely to abscond. The applicant, therefore, be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount. He shall report to Nehru Nagar Police Station, Kurla, once in a week till the charge-sheet is filed and, thereafter, once in a month. The applicant, initially, may give cash bail and, thereafter, within a period of two weeks after he is released, furnish surety.

5. Application is disposed of.

V.M. KANADE, J.